

US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: October 13, 2006  
Comment Deadline: November 13, 2006  
Corps Action ID #: SAW-2006-33046-292

The Wilmington District, Corps of Engineers (Corps) has received an application from City of Raleigh, seeking Department of the Army authorization to impact 601 linear feet of jurisdictional channels associated with the installation of a single culvert in each of two separate tributaries of Little Brier Creek, in Raleigh, Wake County, North Carolina.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at [www.saw.usace.army.mil/wetlands](http://www.saw.usace.army.mil/wetlands)

**Applicant:**

City of Raleigh  
Division of Public Works  
Attn: Samir Bahho  
222 Hargett Street.  
Raleigh, NC 27602

**Agent:**

Withers and Ravenel  
Attn: Mr. Todd Preuninger  
117 MacKenan Drive  
Cary, NC 27511

**Authority**

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act.

**Location**

The project consists of extending both TW Alexander Drive and ACC Boulevard in Wake County, North Carolina (35.9180516 N, -78.7862981 W). The property contains tributaries to Little Brier Creek, which flows into the Neuse River.

## **Existing Site Conditions**

The corridor consists predominantly of mixed pine hardwood forest. The wooded upland areas are vegetated by sweet gum (*Liquidambar styraciflua*), red cedar (*Juniperus virginiana*), white oak (*Quercus alba*), black oak (*Quercus velutina*), dogwood (*Cornus florida*), sweetgum (*Liquidambar styraciflua*), loblolly pine (*Pinus taeda*), and Christmas fern (*Polystichum acrostichoides*). The forests are underlain by upland Creedmoor soils between the streams and alluvial Chewacla soils adjacent to the streams.

## **Applicant's Stated Purpose**

The project purpose is to alleviate congestion at the intersection of Highway 70 and Briar Creek Parkway and provide a second access point to Highway 70.

## **Project Description**

The project involves the installation of a single culvert in each of two separate tributaries of Little Brier Creek. As proposed, the culvert in the TW Alexander Drive extension would result in 421 linear feet of stream fill, and the culvert in the ACC Boulevard extension would result in 180 linear feet of stream fill material being discharged into a water of the United States. Overall, the project would involve the piping and fill of 601 linear feet of jurisdictional channels. The applicant proposes to mitigate their requested stream impacts through payment to the North Carolina Ecosystem Enhancement Program.

## **Other Required Authorizations**

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by November 3, 2006.

## **Cultural Resources**

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

## **Endangered Species**

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

## **Evaluation**

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

## **Commenting Information**

The Corps is soliciting comments from the public: Federal, State and local agencies and officials; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public

interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, November 13, 2006. Comments should be submitted to Mr. Jamie Shern, Raleigh Regulatory Field Office, 6508 Falls of Neuse Road, Suite 120, Raleigh, North Carolina 27615.





**WITHERS & RAVENEL**

ENGINEERS | PLANNERS | SURVEYORS

111 MacKenan Drive Cary, North Carolina

telephone: 919.469.3340

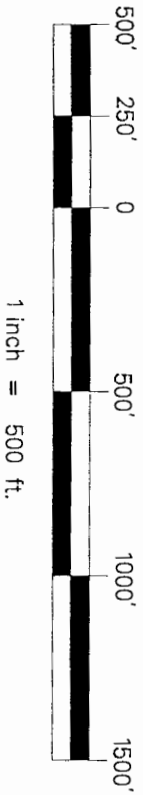
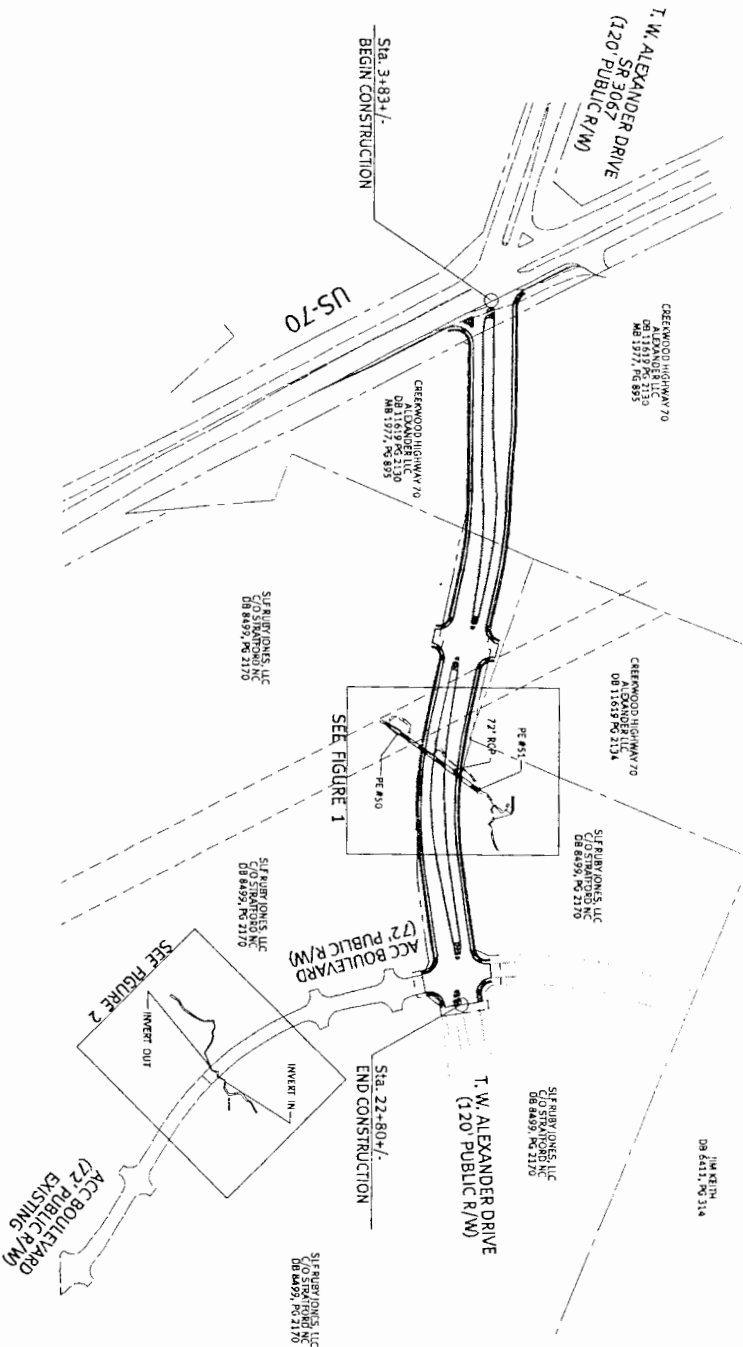
www.wITHERSRAVENEL.com

0 250 500 1,000 Feet

Project #204276 - GIS/Topo.mxd

Sept. 14, 2006

FROM	TO	LENGTH	UPSTREAM INVERT	UPSTREAM ELEVATION	DOWNSTREAM INVERT	DOWNSTREAM ELEVATION
PE #51	PE #50	263'	347.24'	348.24'	343.12'	344.12'
INV IN	INV OUT	199'	346.80'	347.80'	345.00'	346.00'



- NOTES:
1. WETLANDS DELINEATED BY WITHERS & RAVENEL.
  2. AND SURVEYED BY JOHN A. EDWARDS & COMPANY.
  3. EXISTING TOPOGRAPHY TAKEN FROM FIELD SURVEYS BY JOHN A. EDWARDS & COMPANY.

No.	Revised	By	Date
1	REVISED 7/7	BY	8/26/2006

Drawn	By	Date
Drawn	BY	MARCH 2006

T.W. ALEXANDER DRIVE AND ACC BOULEVARD  
RALEIGH, NORTH CAROLINA

PROPOSED WETLAND  
IMPACT MAPS

WITHERS & RAVENEL  
ENGINEERS & PLANNERS | SURVEYORS

BUFFER IMPACT SUMMARY TABLE (ROAD CROSSINGS)			
IMPACT NO.	TYPE	IMPACT AREA (SF)	
1A	NRB-Z2	5186 SF	
1B	NRB-Z1	8858 SF	
1D	NRB-Z1	11600 SF	
1E	NRB-Z2	5093 SF	
1F	NRB-Z2	357 SF	
1G	NRB-Z1	98 SF	
2A	NRB-Z2	2991 SF	
2B	NRB-Z1	4842 SF	
2D	NRB-Z1	3870 SF	
2E	NRB-Z2	2234 SF	
TOTAL:		45129 SF	

CH = CHANNEL, NB = NEUSE BUFFER,  
Z1 = ZONE1, Z2 = ZONE2

CHANNEL IMPACT SUMMARY TABLE (ROAD CROSSINGS)			
IMPACT NO.	TYPE	CH SF	LINEAR FT. (CH)
1C	CH	2125 SF	421 LF
2C	CH	550 SF	180 LF
TOTAL:		2675 SF	601 LF

CH = CHANNEL, NB = NEUSE BUFFER,  
Z1 = ZONE1, Z2 = ZONE2

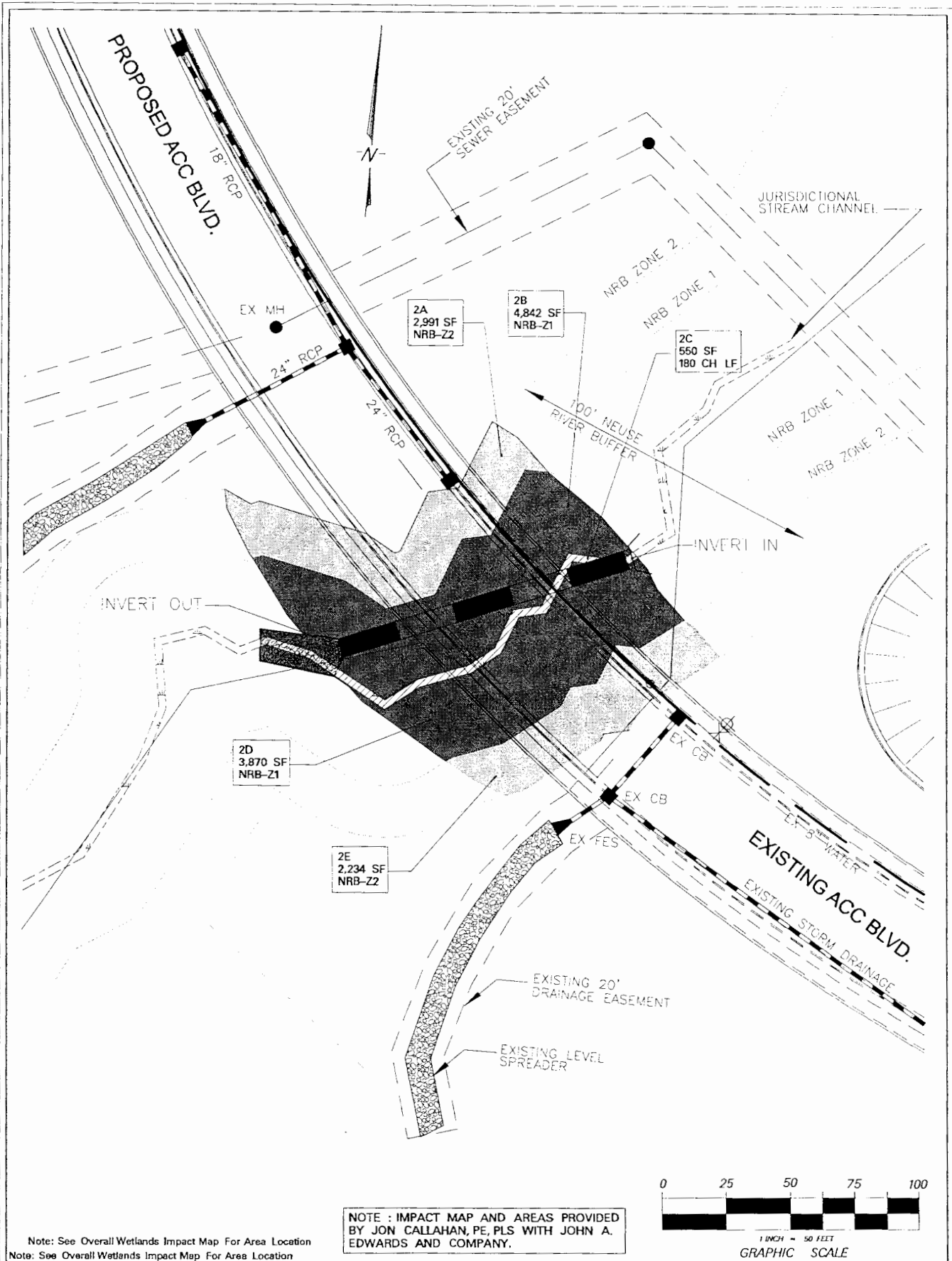
PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

OWNER/DEVELOPER  
CITY OF RALEIGH  
222 WEST HARGETT STREET  
RALEIGH, NC 27602  
PHONE (919) 886-3431  
CONTACT: SAMIR BAHID, PE









Note: See Overall Wetlands Impact Map For Area Location  
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NOTE : IMPACT MAP AND AREAS PROVIDED  
 BY JON CALLAHAN, PE, PLS WITH JOHN A.  
 EDWARDS AND COMPANY.

**WITHERS & RAVENEL**  
 ENGINEERS | PLANNERS | SURVEYORS  
 111 MacKintosh Drive Cary, North Carolina 27511 tel: 919-489-3340 fax: 919-487-8008 www.wITHERSRAVENEL.COM

**FIGURE 2 - WETLAND AND BUFFER IMPACTS  
 ACC BOULEVARD**  
 RALEIGH WAKE COUNTY NORTH CAROLINA